

## REMARKS

### Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the outstanding Office Action but remain of the opinion that patentable subject matter is present. Applicants respectfully request reconsideration of the Examiner's position based on the above amendments to the Claims and the following remarks.

### Interview

Donald C. Lucas wishes to thank the Examiner for the courtesy extended to him during the Interview on April 27, 2005. As discussed with Mr. Lucas during the Interview, the claims have been amended herein to more particularly point out and distinctly claim the Invention.

### Claims Status and Amendment

Claims 1-3, 5-13, 15, 17, 18, 22 and 26 had been examined. This response amends Claims 1, 3, 7, 10 and 13 and cancels Claims 6, 8 and 18. Thus, currently under prosecution are Claims 1-3, 5, 7, 9-13, 15, 17, 22 and 26.

Claims 1, 7, 10 and 13 have been amended to recite that the customer is a high volume retail customer. Such was suggested by the Examiner in the Office Action dated February 28, 2005, and has been adopted herein.

Claim 1 has also been amended to recite that the customer's high volume relates to a specific service or product and not just all services or products. In other words, it is not the total amount of purchasing done by the customer but the amount of purchasing of a single service or product done by the customer. Also, Claim 1 has been amended to recite that the discounts is for a brand of specific service or specific product. Support for these amendments can be found on page 3, lines 18-28.

In other words, the discounts which are provided to the customer are specifically for products or services to which that customer is a high volume customer. To put it more simply, if the customer buys a lot of cola soft drink, Coca Cola provides this high volume retail customer with specific discounts for their brand, Coca Cola.

Claim 1 has also been amended to recite that the vehicle is electronically coded, a plurality of discounts are provided on the card and that the card is electronically read. Support for these amendments can be found on page 4, lines 22-25 and 28-30.

Finally, Claim 1 has been amended to recite that the customer uses the card to repurchase the brand of service or product with the discounts that remain. Support for this amendment can be found on page 5, lines 16-28.

#### Invention

Applicants' Invention is directed to a method for obtaining an increase in market shares for a certain product or service. In order to increase the market share for the product or service, the manufacturer determines who purchases a lot of those types of products or services and then sends that customer who is a high volume customer, discounts for their products so as to shift the buying power of that customer over to their brand. In this way, the manufacturer gets the high volume retail customer to buy only their brand and thereby spend their money on the specific manufacturer's brand.

### Claim Rejections

Claims 1-3, 5-12, 15, 17, 18, 22 and 26 have been rejected as being anticipated by Fajkowski, while Claim 13 has been rejected as being unpatentable over a combination of Fajkowski and Powell.

Neither Fajkowski or Powell teach identifying "a high volume retail customers for a specific product or a specific service" and then sending that "high volume retail customer a discount card for a brand of that specific service or product". Respectfully, the claims are patentable over the references taken alone or in combination.

### Conclusion

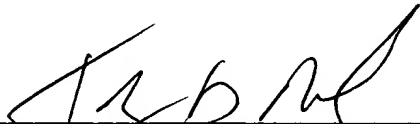
In view of the foregoing, it is respectfully submitted that the Application is in condition for allowance and such action is respectfully requested. Should any further fees or extensions of time be necessary in order to maintain this Application in pending condition, appropriate requests

are hereby made and authorization is given to debit account  
#02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By:

  
Timothy D. Meade, Reg.#55,449  
Attorney for Applicant(s)  
475 Park Avenue South, 15<sup>th</sup> Floor  
New York, New York  
Tel. # 212-661-8000

DCL/TDM/mr

Encl: Return receipt postcard